



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/716,157

11/18/2003

Anthony E. Faltsek

90288

5301

24628

7590

11/02/2006

WELSH & KATZ, LTD
120 S RIVERSIDE PLAZA
22ND FLOOR
CHICAGO, IL 60606

EXAMINER

LEE, PING

ART UNIT

PAPER NUMBER

2615

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/716,157

Applicant(s)

FALTESEK ET AL.

Examiner

Ping Lee

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 11-14, 22 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Mori (US 4,851,823).

Regarding claims 1, 2, 22 and 23, Mori discloses a system comprising a plurality of audio modules ("I", located at each room) including at least one audio output transducer (2) and at least one audio input transducer (3), a common control unit ("II"), an output device (12) and an input device (11).

Regarding claims 11-14, Mori shows the display step by 16 (col. 2, lines 20-25) and the steps of processing by human.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

Art Unit: 2615

were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 9, 17, 18 and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mori.

Regarding claims 9, 17, 18 and 30-32, Mori fails to teach thermal sensors. Mori teaches a general fire detector (1), one skilled in the art would have expected that any well known functionally equivalent type of fire detector, including the one using thermal sensor, could be used without generating any unexpected result. Thus, depending on the design choice, it would have been obvious to one of ordinary skill in the art to modify Mori by using a thermal type of fire detector in order to detect the fire.

6. Claims 10, 15 and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mori as applied to claims 9, 17, 18 and 30-32 above, and further in view of Yoki et al (US 4,709,330).

Regarding claims 10, 15 and 19-21, Mori fails to show how to track the received audio and displaying movement. Yoki teaches how to use infrared sensor to detect the movement of the person in the location closed to the fire and help the person to escape from the fire. Thus, it would have been obvious to one of ordinary skill in the art to modify Mori by incorporating infrared sensor as taught in Yokoi in order to help the guests to escape the fire when their vision is blurred by the smoke in the fire.

Art Unit: 2615

7. Claims 3-6, 8, 24-27, 29 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mori as applied to claims 9, 17, 18 and 30-32 above, and further in view of Markowitz et al (US 6,295,346).

Regarding claims 3-6, 24-27, 29 and 33, Mori fails to how to analyze audio using circuitry or software. Markowitz et al (hereafter Markowitz) teaches how to use speech recognition software to help identify the urgent message from a remote location. Thus, it would have been obvious to one of ordinary skill in the art to modify Mori by utilizing speech recognition software as taught in Markowitz in order to help the administer to correctly identify the message from the guests.

8. Claims 7, 16 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mori as applied to claims 3-6, 8, 24-26, 29 and 33 above, and further in view of Cohen et al (US 6,219,643).

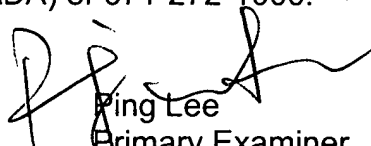
Regarding claims 7, 16 and 28, Markowitz fails to explicitly disclose the design of the speech recognition software including suppressing fire noise. Cohen et al (hereafter Cohen) teaches that it is important to eliminate the ambient noise while performing speech analysis. For detecting the speech during fire emergency, one skilled in the art would have recognized that the ambient noise would include the fire noise. Thus, it would have been obvious to one of ordinary skill in the art to modify Mori and Markowitz by eliminating ambient noise as suggested by Cohen in order to clearly recognize the speech spoken by the guests in the fire emergency.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ping Lee whose telephone number is 571-272-7522.

The examiner can normally be reached on Monday, Wednesday and Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Ping Lee
Primary Examiner
Art Unit 2615

pwl